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Bradford J. Duft  
BROBECK, PHLEGER & HARRISON  
12390 El Camino Real  
San Diego, CA 92130

In re Application of:  
BEELEY, Nigel, R.A., et al.  
U.S. Application No.: 09/622,104  
PCT No.: PCT/US99/02603  
International Filing Date: 05 February 1999  
Priority Date: 13 February 1998  
Attorney's Docket No.: 256/153  
For: NOVEL MIXED AMYLIN ACTIVITY  
COMPOUNDS

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: DECISION ON PETITION  
: TO REVIVE ABANDONED  
: APPLICATION UNDER 37  
: CFR 1.137(b)  
:  
:  
:

The petition to revive under 37 CFR 1.137(b) filed 16 July 2001 in the above-captioned application is hereby **GRANTED** as follows:

Applicants' statement that the "delay in responding to the above-noted Office Action in the above-captioned application was unintentional" and the accompanying explanation for the delay meet the requirements of 37 CFR 1.137(b)(3).

Applicants have now submitted a proper response to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed 29 August 2000 (an executed declaration in compliance with 37 CFR 1.497 and the surcharge for filing the declaration after the thirty month deadline), and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application is granted as to the national stage in the United States of America.

This application is being returned to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision. The 35 U.S.C. 371(c) date is **16 July 2001**.

Richard M. Ross  
PCT Petitions Attorney  
PCT Legal Office  
Telephone: (703) 308-6155  
Facsimile: (703) 308-6459

#4

Patent  
030639.0057.US

The petition fee required for revival of an unintentionally abandoned application pursuant to 37 C.F.R. §1.17(m) of \$620.00 is enclosed herewith, as is the outstanding surcharge fee of \$65.00 for supplying a declaration later than 30 months from the priority date.

Applicants' representative declares that the delay in responding to the above-noted Office Action in the above-captioned application was unintentional. Applicants changed representatives in October of 2000 and believed that a timely filed response in this action had been effected prior to such change when, in fact, it had not. Recently, on 27 June 2001, Applicants received a Notice of Abandonment thus alerting them to the truth and now diligently seek revival hereby.

If the enclosed fees are incorrect, please charge or credit our Deposit Account No. 50-1273 for the appropriate amount to revive this application as set forth in 37 C.F.R. §1.17(m). A duplicate copy of this petition is enclosed for your convenience.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: \_\_\_\_\_

7/13/01

By: \_\_\_\_\_



Edward O. Kreusser  
Reg. No. 38,523

EOK:jxb

**BROBECK, PHLEGER & HARRISON LLP**  
12390 El Camino Real  
San Diego, CA 92130-2081  
Telephone: (858) 720-2500  
Facsimile: (858) 720-2555

**RECEIVED**

JUL 17 2001

**OFFICE OF PETITIONS**